

Batties, Leila M J (WAS - X72583)

From: Bergstein, Alan (OAG) <alan.bergstein@dc.gov>
Sent: Thursday, July 05, 2018 10:40 AM
To: Batties, Leila M J (WAS - X72583)
Cc: Glasgow, Norman M (WAS - X72460)
Subject: RE: BZA Order No. 14174

The GW Campus Plan originally contained no expiration date. At the request of the community parties, the BZA (which was then in charge) declared the plan stale and requested the submission of a new one. I doubt that would happen for a small use like this one. Since the use was approved by the BZA, I think the rule is Subtitle Y would govern:

706.1 If a special exception use or use variance is established, the use will only expire if:

- (a) An expiration date is specified in the order;
- (b) The special exception use or use variance is discontinued for any reason for any period of three (3) or more years occurring after October 8, 2010; except where governmental action impedes access to the premises; or
- (c) Either of the following occurs after the effective date of the order granting the variance:
 - (1) A certificate of occupancy for a different use is issued; or
 - (2) A residential use for which no certificate of occupancy is required is established.

*Alan Bergstein
Section Chief
Land Use and Public Works
441 4th Street, N.W.
Suite 1010 South
Washington, D.C. 20001
(202) 442-9777*

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From: Leila.Batties@hklaw.com [mailto:Leila.Batties@hklaw.com]
Sent: Tuesday, July 03, 2018 3:16 PM
To: Bergstein, Alan (OAG)
Cc: norman.glasgowjr@hklaw.com
Subject: BZA Order No. 14174

Hi, Alan.

Attached is a copy of the BZA order that approved the campus master plan for Howard University's Divinity School in Northeast. The order was approved on October 3, 1984, and unlike most of the more recent campus master plan approvals, this order does not provide a date for when the campus master plan expires. Given there is no date for the expiration of the campus master plan, is the plan still valid as originally approved, unless or until the Zoning Commission approves an amendment to the campus master plan?